

UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff	§	
	§	
v.	§	CIVIL ACTION NO.
	§	
2004 FERRARI 360 MODENO,	§	
Defendant in rem.	§	

**VERIFIED COMPLAINT FOR FORFEITURE IN REM**

United States of America, Plaintiff, files this action for forfeiture against a  
2004 Ferrari 360 Modeno with vehicle identification number  
ZFFYU51A240137976 and alleges the following.

*Nature of the Action*

1. This is an action to forfeit Defendant in rem to the United States pursuant  
to 49 U.S.C. § 80303.

*Defendant in Rem*

2. Defendant in rem is 2004 Ferrari 360 Modeno with vehicle identification  
number ZFFYU51A240137976 that was seized from Evens Claude on June 18,  
2010, in Houston, Texas.

*Jurisdiction and Venue*

3. This Court has jurisdiction pursuant to 28 U.S.C. §1355 because this is an action for forfeiture.

4. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1355 and 1395 (a) and (b) because:

- a. the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas;
- b. the property was found in the Southern District of Texas; and
- c. this forfeiture action accrued in the Southern District of Texas.

*Basis for Forfeiture*

5. The Defendant in rem is subject to forfeiture under 49 U.S.C. § 80303. This section provides for the civil forfeiture of a vehicle involved in a violation of 49 U.S.C. § 80302. Section 80302(b) of Title 49 U.S.C. provides that a person may not (1) transport contraband in a vehicle, (2) conceal or possess contraband on a vehicle, or (3) use a vehicle to facilitate the transportation, concealment, receipt, possession, purchase, sale, exchange, or giving away of contraband. Under 49 U.S.C. § 80302(a)(3)(A) a forged, altered, or counterfeit coin or an obligation or other security of the United States Government is contraband.

*Facts*

6. On June 18, 2010, Steve Montrose attempted to make a purchase with

counterfeit United States \$100 bills in the Galleria shopping mall in Houston, Texas. During the investigation of this attempted purchase, mall security personnel arrested Steve Montrose and Evens Claude. Store personnel found on Mr. Montrose nine counterfeit \$100 bills and found on Mr. Evens ninety-eight counterfeit \$100 bills. Both individuals were subsequently charged by a federal grand jury with conspiracy to utter counterfeit obligations and securities (count one) and uttering counterfeit obligations and securities (counts two and three). *United States v. Claude*, 4:10-cr-00481 (Southern District of Texas, July 12, 2010).

7. Mr. Claude told Secret Service Agents that he flew to Houston on June 18, 2010, from Philadelphia, PA. When he arrived in Houston, he purchased the 2004 Ferrari 360 Modeno with vehicle identification number ZFFYU51A240137976. After buying this car, he drove the car to the Galleria shopping mall where he was later arrested. At all times he was in possession of the counterfeit \$100 bills that were found on him. Mr. Montrose also told Secret Service Agents that he flew to Houston on June 18 with Mr. Claude and traveled with him in the Ferrari to the Galleria shopping center. After Mr. Claude and Montrose were arrested at the Galleria shopping mall, law enforcement officers found the 2004 Ferrari 360 Modeno parked in the shopping mall parking garage.

*Relief Requested*

8. Plaintiff requests a) an arrest Warrants and summons, citing all persons having an interest in the Defendant in rem to appear on the return day of process by filing a claim and answer pursuant to Rule G(5), Supplemental Rules for Certain Admiralty and Maritime Claims, or as ordered by this Court, b) a judgment of forfeiture, and c) costs and other relief to which the Plaintiff may be entitled.

Dated: November 10, 2010.

Respectfully submitted,

José Angel Moreno  
United States Attorney

By: /s/ Albert Ratliff  
Albert Ratliff  
Attorney-in-Charge  
NY Bar No. 1073907  
SDTX Bar No. 6764  
Assistant United States Attorney  
United States Attorney's Office  
P. O. Box 61129,  
Houston, Texas 77208  
Office: (713) 567-9579  
Fax: (713) 718-3300  
E-mail: albert.ratliff@usdoj.gov

VERIFICATION

I, Shaun Cannon, Special Agent, United States Secret Service, declare under

penalty of perjury as provided by 28 U.S.C. §1746 that I have read this verified complaint for forfeiture in rem, and the facts stated in this complaint are true and correct to the best of my knowledge and belief.

Executed on November 10, 2010.



---

Shaun Cannon, Special Agent  
U. S. Secret Service